IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 8069 of 2007

DATED: 22.6.2007

Between:

S.Moinul Husain & ors PETITIONERs

AND

The Government of A.P.,
Rep by its Secretary,
A.P. Housing Board, Secretariat Buildings
Hyderabad & ors RESPONDENTs

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 8069 OF 2007

ORAL ORDER:

The present writ petition is filed seeking the following relief;

> "….. Mandamus declare the action of the respondents in not re-paying the amounts whatever recovered at the time of retirement from service by the petitioners which belong to special annual grade increments beyond maximum scale and automatic advancement scheme from the work charged employees of the A.P. Housing Board as illegal, arbitrary and in violation of principles of natural justice and also in violation of Articles 14,16 and 21 of the constitution of India and consequently direct the respondents to repay the amounts whatever recovered at the time of retirement from the petitioners in respect of special Annual Grade Increments beyond maximum scale and Automatic Advancement Scheme from the work charged employees of the A.P. Housing Board in view of the G.O.Ms.No.52 dated 30.7.2005 in different amounts and pass…."

The petitioners herein are retired work inspectors in A.P. Housing Board. At the time of payment of retirement benefits, certain amounts were deducted towards special annual grade increments beyond the maximum scale and automatic advancement scheme. Thereafter G.O.Ms.No.52 dated 20.7.2005 was issued permitting the Housing Board to continue the benefits of sanction of Special Annual Increments beyond maximum scale and Automatic Advancement Scheme to the eligible employees. The petitioners claim that in terms of the said Government Order, they are entitled for repayment of the

amounts recovered from their retirement benefits and submitted several representations including one dated 9.3.2007 and allege that till date no action is taken thereon. Hence the present writ petition.

Heard the learned counsel for petitioners and learned standing counsel for A.P. Housing Board. Both the counsel agreed for disposal of the writ petition at the admission stage with a direction to the respondents to dispose of the representation of the petitioners expeditiously.

Since the representation of the petitioners dated 9.3.2007 is pending consideration before the second respondent and in view of the agreed stand taken by both the counsel, I deem it appropriate to dispose of the writ petition directing the second respondent to consider and dispose of the representation of the petitioners dated 9.3.2007 in accordance with law, expeditiously.

Accordingly the writ petition is disposed of.

No costs.

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N.V.RAMANA,J

DATE: 22.6.2007
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THE HON'BLE MR JUSTICE N.V. RAMANA

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